

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Susanne H. Linn and Melissa Knesz	:	
	:	
Plaintiffs	:	
	:	Civil Action
v.	:	
	:	No. 02-4417
Northampton County, Northampton	:	
County Department of Corrections,	:	
Todd Buskirk, Warden, and AFSCME	:	
Local 2549,	:	
Defendants	:	

ORDER

AND NOW, this ____ day of _____, 2003, upon consideration of Defendants' Joint Motion Requesting Oral Argument and a Decision on Defendants' Motions in Limine Seeking Preclusion of Evidence Regarding the Tredinnick Report and Unrelated Litigation and Seeking Preclusion of Evidence Prior to August 16, 1996 Regarding Defendants' Alleged Discriminatory Conduct, Practices and Policies, Prior to the Date for Filing Motions for Summary Judgment, it is hereby ORDERED that Defendants' Motion is GRANTED as follows:

1. Oral argument on the Defendants' two Motions in Limine is scheduled for _____, 2003 at _____;
2. A Moving Party shall file any Motion for Summary Judgment within (10) days after the Court docket its decision regarding the two Motions in Limine;
3. Any Party opposing a Motion for Summary Judgment shall file a response to the Motion for Summary Judgment within (20) days after a Moving Party files a Motion for Summary Judgment;

4. Any reply to the response to the Motion for Summary Judgment shall be filed within (10) days after the a Party files a response.

BY THE COURT:

, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Susanne H. Linn and Melissa Knesz	:	
	:	
Plaintiffs	:	Civil Action
	:	
v.	:	No. 02-4417
	:	
Northampton County, et al.	:	
	:	
Defendants	:	

**DEFENDANTS' JOINT MOTION REQUESTING ORAL ARGUMENT AND
A DECISION ON DEFENDANTS' MOTIONS IN LIMINE SEEKING (1)
PRECLUSION OF EVIDENCE REGARDING THE TREDINNICK REPORT
AND UNRELATED LITIGATION AND (2) PRECLUSION OF EVIDENCE
PRIOR TO AUGUST 16, 1996 REGARDING DEFENDANTS'
ALLEGED DISCRIMINATORY CONDUCT, PRACTICES AND POLICIES,
PRIOR TO THE DATE FOR FILING MOTIONS FOR SUMMARY JUDGMENT**

Defendants, Northampton County, Northampton County Department of Corrections, Warden Todd Buskirk and AFSCME Local 2549 respectfully request that prior to the filing of Motions for Summary Judgment, the Court hold oral argument and render a decision on two (2) of the six (6) Motions in Limine filed by Defendants on July 15, 2003. The two Motions seek (1) the preclusion of evidence regarding the Tredinnick Report and unrelated litigation and (2) the preclusion of evidence prior to August 16, 1996 regarding Defendants' alleged discriminatory conduct, practices and policies. In support of the instant Motion, Defendants state as follows:

1. On or about October 23, 2003, the parties reached an impasse in their efforts to settle this matter;
2. Defendants, therefore, intend to file Motions for Summary Judgment pursuant to the timetable which the Court will establish;
3. On July 15, 2003, prior to entering settlement discussions, the Defendants filed six (6) Joint Motions in Limine requesting preclusion of various evidence

Plaintiffs indicated they intended to rely upon in support of their respective claims against the Defendants;

4. One of these motions, Joint Motion in Limine of All Defendants to Preclude the Admission of Evidence Regarding the Tredinnick Report and Unrelated Litigation, seeks preclusion of over eight thousand (8,000) documents which Defendants contend are irrelevant to the claims advanced by the Plaintiffs. See Joint Motion in Limine of All Defendants to Preclude the Admission of Evidence Regarding the Tredinnick Report and Unrelated Litigation (Docket Nos. 28 and 39)¹ and Joint Reply of All Defendants to Plaintiffs' Response to the Joint Motion in Limine of All Defendants to Preclude the Admission of Evidence Regarding the Tredinnick Report and Documents Related Thereto. (Docket No. 42);

5. Similarly, the other motion, Defendants' Joint Motion in Limine to Exclude Any and All Evidence Prior to August 16, 1996 Regarding Defendants' Alleged Discriminatory Conduct, Practices and Policies, seeks preclusion of a significant quantity of documents and other evidence which the Defendants contend are barred by Plaintiffs' withdrawal and abandonment of similar claims filed with the Equal Employment Opportunity Commission on May 15, 1995. See Defendants' Joint Motion in Limine to Exclude Any and All Evidence Prior to August 16, 1996 Regarding Defendants' Alleged Discriminatory Conduct, Practices and Policies (Docket No. 29).

6. Without a ruling on these two Motions in Limine, the Defendants' will be required to respond in their Motions for Summary Judgment to over 8,000 documents as well as other evidence, which the Court may later rule inadmissible;

7. Furthermore, a ruling on these two Motions in Limine prior to the filing of Motions for Summary Judgment serves judicial efficiency as it would allow the parties to

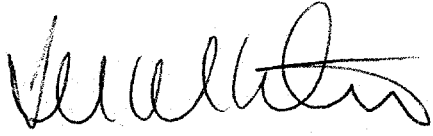
¹ This motion was refiled on August 11, 2003 to correct a discrepancy with the Exhibits in the originally filed motion.

focus their arguments on that evidence which the Court has determined is admissible at trial;

THEREFORE, for all the above-mentioned reasons, Defendants respectfully request that the Court schedule oral argument and render a decision on the two enumerated Motions in Limine, prior to the date for filing Motions for Summary Judgment.

Respectfully submitted by,

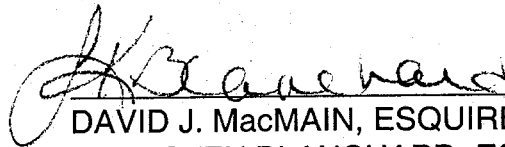
WILLIG, WILLIAMS & DAVIDSON



LINDA M. MARTIN, ESQUIRE
JOHN R. BIELSKI, ESQUIRE
1845 Walnut Street, 24th Floor
Philadelphia, PA 19103
(Office) (215) 656-3665
(Facsimile) (215) 561-5135

Counsel for Defendant
AFSCME, Local 2549

MONTGOMERY, McCRACKEN,
WALKER & RHOADS, LLP



DAVID J. MacMAIN, ESQUIRE
L. KRISTEN BLANCHARD, ESQUIRE.
DENNIS G. YOUNG, JR., ESQUIRE
123 South Broad Street
Avenue of the Arts
Philadelphia, PA 19109
(Office) (215) 772-1500
(Facsimile) (215) 772-7620

Counsel for Northampton County,
Northampton County Department of
Prisons, and Warden Todd Buskirk

Dated: October 27, 2003

CERTIFICATE OF SERVICE

I, Linda M. Martin, Esquire hereby certify that on this 27th day of October, 2003, I caused to be served by facsimile and first class mail, United States Postal Service, postage prepaid, a true and correct copy of Defendants' Joint Motion Requesting Oral Argument and a Decision on Defendants' Motions in Limine Seeking Preclusion of Evidence Regarding the Tredinnick Report and Unrelated Litigation and Preclusion of Evidence Prior to August 16, 1996 Regarding Defendants' Alleged Discriminatory Conduct, Practices and Policies, Prior to the Date for Filing Motions for Summary Judgment, upon the following:

Anne P. Felker, Esquire
539 Center Street
P.O. Box 190
Bethlehem, PA 18016-0190
Counsel to Plaintiffs

Jordan Yeager, Esquire
Boockvar & Yeager
2 West Butler Ave.
P.O. Box 1884
Doylestown, PA 18901
Counsel to Plaintiffs

Robert L. Sharpe, Jr. Esquire
328 West Broad Street
Quakertown, PA 18951
Counsel to Plaintiffs

L. Kristen Blanchard, Esquire
Montgomery, McCracken, Walker & Rhoads, LLP
123 South Broad Street, Avenue of the Arts
Philadelphia, PA 19109
*Counsel to Defendants Northampton County,
Northampton County Department of Corrections,
and Todd Buskirk, Warden*


LINDA M. MARTIN, ESQUIRE

Dated: October 27, 2003